IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WP(C).No. 22553 of 2007(I)

PETITIONER:

K.KARUNANIDHI, S/O.LATE M.KRISHNAN,
AGED 43 YEARS, U.D.CLERK, TALUK OFFICE,
CHIRAYINKIL, RESIDING AT S.K.BHAVAN,
VENKULAM, EDAVA P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.P.P.JNANASEKHARAN
SRI.THOMAS M.JACOB

RESPONDENTS:
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1. THE PRINCIPAL SECRETARY TO GOVERNMENT,
DEPARTMENT OF REVENUE, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE COMMISSIONER OF LAND REVENUE,
KERALA, TRIVANDRUM.

3. THE ADDITIONAL COMMISSIONER OF LAND
REVENUE, TRIVANDRUM.

4. RAJAN P., DEPUTY TAHSILDAR,
OFFICE OF THE DISTRICT COLLECTOR,
KOZHIKODE.

5. SHEIK MUHAMMED SALIM,
DEPUTY TAHSILDAR, OFFICE OF THE
DISTRICT COLLECTOR, KASARAGOD.

BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR,J.

WP(C)NO.22553 OF 2007-I

Judgment

The petitioner is aggrieved by Ext.P6 order dated 27.06.2007 issued by the Land Revenue Commissioner, promoting some of his juniors to the post of Deputy Tahsildar. He admits, it is based on a seniority list, in which they were shown as seniors. But, against the said seniority list, the petitioner preferred representations and this Court has directed the competent authority to consider those representations. But, instead of passing orders, it is seeking extension of time from this Court. If the petitioner's representation is allowed, he will become senior and he is liable to be promoted in preference to respondents 4 and 5. It is not in dispute that Ext.P6 is ordered, going by the existing seniority list of UD Clerks/Special Village Officers. Therefore, I find nothing illegal with Ext.P6. But, if the petitioner's representation is allowed and he is assigned a senior position in the seniority list, he can definitely move for reviewing Ext.P6 and seek promotion as Deputy Tahsildar with retrospective effect. The Writ Petition is accordingly closed subject to the above observation. The contention of the petitioner that those with the Chain Survey Test cannot be promoted, is kept open.

25.07.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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